

Senator Moore raised the point of order that the amendment was not germane to the bill.

The President overruled the point of order.

Question—Shall the amendment by Senator Wagonseller to S. B. No. 360 be adopted?

Senate Bill 402 Ordered Not Printed

On motion of Senator Strauss, and by unanimous consent, S. B. No. 402 was ordered not printed.

Adjournment

On motion of Senator Hardeman, the Senate, at 4:05 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

FIFTIETH DAY

(Wednesday, April 20, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Weinert
Martin	Willis
McDonald	

Absent

Wagonseller

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

Our Father, we pray that Thou wilt teach us how to live with, as well as work for people. So many of us are unfit to live with, and dare not to die. Make us to know that we live by dying; find by losing; gain by giving; and conquer by surrender. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Senate Bill 413 on First Reading

Senator Moore moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Martin	Wagonseller
McDonald	Willis
Moffett	

Absent

Fuller	Strauss
Hazlewood	Weinert
Lock	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 413, A bill to be entitled "An Act prohibiting members of the State Banking Board from holding positions or owning interests in state or national banks; requiring resignation from any such position upon becoming a member of the Board and requiring disposition of interest within six months after becoming a member; providing for resignation of positions and disposition of interests held by members of the Board when this Act becomes effective; and declaring an emergency."

To the Committee on Banking.

Senate Bill 414 on First Reading

Senator Latimer moved that Senate Bill 114 and Section 5 of Article III of the State Constitution be suspended

to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Martin	Strauss
McDonald	Weinert
Moffett	Willis

Absent

Fuller	Lock
Hazlewood	Wagonseller

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Latimer:

S. B. No. 414, A bill to be entitled "An Act pertaining to compensation of employees of certain county and precinct officials in counties with a population of not less than five hundred thousand (500,000) inhabitants, nor more than six hundred and ten thousand (610,000) inhabitants, and the justice precincts in such counties having a population of not less than three hundred thousand (300,000) inhabitants in such precincts, according to the last preceding or any future Federal census and who are compensated on a salary basis; providing that the County Commissioners Court shall grant to such offices a minimum budget appropriation for deputy clerk hire of not less than the payroll for February, 1955, of such office multiplied by twelve (12) (months), plus an additional fifteen per cent (15%); providing that every employee who is on the payroll when this Act becomes effective shall receive a fifteen per cent (15%) increase in salary, providing said employee was on any part of the February, 1955, payroll of said office; providing that the officials of the offices named must submit to the County Commissioners Court the number of positions and salary of each position necessary to perform the

duties of said office and said Court shall approve said positions and salaries provided the total of positions and salaries does not exceed the annual budget appropriation for deputy clerk hire; providing for a savings clause; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

To the Committee on Counties and County Boundaries.

Senate Bill 415 on First Reading

Senator Lane moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Fuller	Wagonseller
Lock	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Lane:

S. B. No. 415, A bill to be entitled "An Act providing that it shall be unlawful to kill wild turkey in Shelby and Panola Counties for a period of five (5) years from and after the passage of this Act; repealing all laws in conflict; providing a penalty; and declaring an emergency."

To the Committee on Game and Fish.

Senate Resolution 246

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery 70 pupils of the 7th Grade, Floresville Junior High School, Floresville, Wilson County, Texas, accompanied by Mrs. Kathleen Williams, Mr. Fred Brunkenhoefer and Mr. Victor Miculka, teachers; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students, Mrs. Williams, Mr. Brunkenhoefer and Mr. Miculka to the Members of the Senate.

Senate Resolution 247

Senator Latimer offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Honorable Jack H. Ridgeway, a former Member of the House of Representatives; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate, and privilege of the floor for the day.

The resolution was read and was adopted.

Senator Latimer, by unanimous consent, presented Mr. Ridgeway to the Members of the Senate.

Message from the Governor

The following message received from the Governor today was read and was referred to the Committee on Finance:

April 20, 1955.

To the Members of the Fifty-fourth Legislature.

I submit for your consideration as an emergency matter legislation appropriating \$250,000, or so much thereof as may be necessary, to the State Department of Health to enable that Department to process and supply Salk polio vaccine.

Texas is one of the six states qualified to manufacture and process this vaccine, and I urge you to make it possible for this Department to supply the vaccine for children of indigent families and children of our State institutions. People in this category will not be able to afford the price, as slight as it may be, and provisions should be made by this Legislature so it will be possible for every child to be inoculated and no child will be deprived of the protection afforded by this miraculous discovery. The warm heart of Texas cannot let any child go without the benefit of this vaccine.

Because of the importance of this matter, I hope, most sincerely, that all possible steps will be taken promptly to give it prior consideration.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Senate Bill 416 on First Reading

Pursuant to the provisions of the message submitted to the Regular Session of the Fifty-fourth Legislature by the Governor today, the following bill was introduced, read first time and referred to the committee indicated:

By Senator Bracewell:

S. B. No. 416, A bill to be entitled "An Act making an appropriation from the General Revenue Fund for the purchase of anti-poliomyelitis (Salk) vaccine to be administered to dependent children who are wards of the State in special schools, hospitals, and similar institutions; prescribing a method for procuring and administering such vaccine; and declaring an emergency."

To the Committee on Finance.

Senate Resolution 248

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery 26 students from San Marcos Academy of San Marcos, Hays County, Texas, all being members of the Civics and Economics Class, accompanied by Mrs. Jeff Brassell, teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert, by unanimous consent, presented the students and Mrs. Brassell to the Members of the Senate.

Report of Standing Committee

Senator Fly, by unanimous consent, submitted the following report:

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 412, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Senate Resolution 250

Senator Phillips offered the following resolution:

Whereas, We are honored today to have in the gallery Webster High School, Clear Creek District, accompanied by Alan G. Weber, teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of

their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Phillips, by unanimous consent, presented the students and Mr. Weber to the Members of the Senate.

Senate Resolution 249

Senator Phillips offered the following resolution:

Whereas, We are honored today to have in the gallery the Eighth Grade Class of the Clear Creek Independent School, League City, Texas, accompanied by Mr. J. A. Ellisor; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Phillips, by unanimous consent, presented the students and Mr. Ellisor to the Members of the Senate.

Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,
April 19, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred S. C. R. No. 23, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do not pass, but that Senate Committee Substitute, attached hereto, do pass in lieu thereof, and be printed.

WEINERT, Chairman.

C. S. S. C. R. No. 23 was read first time.

Austin, Texas,
April 19, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 371, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WEINERT, Chairman.

Austin, Texas,
April 19, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred S. R. No. 59, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that Senate Committee Substitute, attached hereto, do pass in lieu thereof, and be printed.

WEINERT, Chairman.

C. S. S. R. No. 59 was read first time.

Senator Fly submitted the following report:

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 331, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

Senator Kazen submitted the following reports:

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 531, have had the

same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 404, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 204, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 388, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 546, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was re-

ferred H. B. No. 290, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

KAZEN, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 43, Recognizing the Eastern Orthodox Church as a major faith in Texas.

H. C. R. No. 70, Relative to study by the Legislative Council of the feasibility of training seeing-eye dogs by the Texas State School for the Blind.

H. C. R. No. 98, Commending Dr. Charles Christopher Cook of Cleburne, Texas, on his long and devoted service to his community.

H. C. R. No. 104, Suspending the Joint Rules so that either of the two Houses may take up and consider House Bill No. 404 at any time.

H. C. R. No. 75, Requesting the Legislative Council to prepare a codification of the laws relating to navigation districts together with any recommended changes for submission to the Fifty-fifth Legislature.

S. J. R. No. 5, To authorize needed changes in and revision of the Teacher Retirement System of Texas.

(With amendment.)

The House has concurred in Senate amendments to House Bill No. 261 by vote of 134 ayes, 0 noes.

H. C. R. No. 105, Suspending the Joint Rules of the two Houses so that either House may take up and consider House Bill No. 4 at any time.

The House refused to concur in Senate amendments to House Bill Nos. 85 and 10 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

House has appointed the following Conference Committee on H. B.

No. 10: Bradshaw, Strickland, Niemann, Cooper, Smith of Tarrant.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Resolution 251

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery two American History Classes of the Mason High School composed of 47 students accompanied by E. R. Sharpe, Superintendent, and Jim Walker; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ashley by unanimous consent presented the students and Mr. Sharpe and Mr. Walker to the Members of the Senate.

Senate Resolution 252

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery the Civics Class of Forrester High School accompanied by Mr. George S. Johnson; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Martin by unanimous consent presented the students and Mr. Johnson to the Members of the Senate.

Senate Resolution 253

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the Texas History Class of the A. and M. Consolidated High School accompanied by J. J. Skrivanek, Jr., their principal; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and Mr. Skrivanek to the Members of the Senate.

Senate Resolution 254

Senator Willis offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Tommy Vandergriff, Mayor of Arlington, Texas; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and the privileges of the floor for this day.

The resolution was read and was adopted.

Senate Resolution 255

Senator Kelley offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Honorable Milton D. Richardson, County Judge of Hidalgo County; Mr. Jesse

Dudley, La Villa, Texas; Mr. Charles E. Curtis, Pharr, Texas; Mr. Thurman Carter, Mission, Texas; and Mr. C. G. Green, Edinburg, Texas, all of whom are members of the County Commissioners Court of Hidalgo County, and Mr. B. F. McKee, County Auditor of Hidalgo County; and

Whereas, We desire to welcome these distinguished guests to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized, and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Kelley by unanimous consent presented the distinguished guests to the Members of the Senate.

Conference Committee on House Bill 85

Senator Moore called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 85 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Moore, Kelley, Hardeman, Wagonseller and Corbin.

Senate Bill 412 Ordered Not Printed

On motion of Senator Owen, and by unanimous consent, S. B. No. 412 was ordered not printed.

House Joint Resolution 15 on Second Reading

Senator Shireman asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 15 for consideration at this time.

There was objection.

Senator Shireman then moved to suspend the regular order of business and take up H. J. R. No. 15 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Corbin
Bracewell	Fly
Colson	Fuller

Hazlewood	Parkhouse
Kazen	Phillips
Kelley	Ratliff
Lane	Rogers
Latimer	of Childress
Lock	Rogers of Travis
McDonald	Secrest
Moffett	Shireman
Moore	Strauss
Owen	Wagonseller

Nays—5

Ashley	Roberts
Hardeman	Weinert
Martin	

Absent

Willis

The President laid before the Senate on its second reading and passage to third reading the following resolution:

H. J. R. No. 15, Providing for the improved support of the University of Texas and the Agricultural and Mechanical College of Texas from a source other than tax revenue by providing for the broader investments of The Permanent University Fund in corporate bonds and stocks under certain conditions and limitations; providing for an election and the issuance of a proclamation therefor.

The resolution was read second time.

Senator Shireman offered the following amendment to the resolution:

Amend H. J. R. No. 15, Section 1, page 2, line 54 of the printed resolution, by changing the period (.) after the word "section" in said line 54 to a comma (,) and adding the following:

"nor shall the provisions of this amendment affect in any way the prior allocation of the revenues for the ten-year period beginning January 1, 1948, as heretofore authorized by the provisions of Section 17 of Article VII of this Constitution as adopted August 23, 1947."

The amendment was adopted.

Senator Shireman offered the following amendment to the resolution:

Amend H. J. R. No. 15, Section 2, page 4, by striking out the following language commencing on line 12 of the printed resolution:

"and the interest, dividends, or profits accruing from the securities listed in Section 11 and Section 11a shall be subject to appropriation by the Legislature to accomplish the purposes declared in Section 10 and in Section 18, Article VII of this Constitution."

and substituting in lieu thereof the following language:

"and the interest, dividends or profits accruing from the securities listed in Section 11 and Section 11a, except the portion thereof which is appropriated by the operation of Section 18 of Article VII for the payment of principal and interest on bonds or notes issued thereunder, shall be subject to appropriation by the Legislature to accomplish the purposes declared in Section 10 of Article VII of this Constitution."

The amendment was adopted.

Senator Hardeman offered the following amendment to the resolution:

Amend H. J. R. No. 15 by adding at the end of Section 2, as a part of the proposed Section 11(a) of Art. VII the following:

During the month of January of each year, the Board of Regents must file with the Secretary of State of the State of Texas a complete financial statement relative to the University permanent fund covering the calendar year immediately next preceding. The report must be sworn to as being complete, true and correct by the Chairman of the Board and must contain the following information: the description of each and every security with face value thereof, the price paid therefor, the date purchased, all commissions paid, from whom purchased and the market value thereof as of January 2nd of the year in which the report is filed, and the income received therefrom during the preceding calendar year. If any securities have been sold, then in addition to the information mentioned above, the report must disclose to whom sold and the price received therefor. At the same time the Board of Regents must file with the Secretary of State a true and correct copy of all minutes of meetings of the Board of Regents wherein purchases or sales of securities or investments were made, showing the vote of each and every member of such Board by name on each and every purchase

or sale. Such minutes shall be verified under oath by the Chairman and Secretary of such Board as being complete, true and correct. The report and minutes shall be public records, open for inspection."

The amendment was read.

(Senator Lane in the Chair.)

Senator Moffett offered the following as a substitute for the amendment by Senator Hardeman:

Substitute for Hardeman amendment.

Amend H. J. R. 15 by adding at the end of Section 2, as a part of the proposed Section 11(e) of Art. VII the following:

"provided, however, that the Legislature may provide by law for full disclosure of all details concerning the investments in corporate stocks and bonds authorized herein."

The substitute was read.

Senator Martin offered the following amendment to the substitute by Senator Moffett:

Amend Moffett substitute by striking the word "may" and inserting in lieu thereof the word "shall."

The amendment to the substitute was adopted.

Senator Moffett offered the following amendment to the substitute:

. Amend pending (Moffett) substitute by adding the words "other investments" following the word "bonds" in pending substitute.

The amendment to the substitute was adopted.

Senator Hardeman moved to table the substitute as amended.

The motion to table was lost by the following vote:

Yeas—9

Ashley	Ratliff
Fly	Roberts
Hardeman	Secrest
Martin	Weinert
Parkhouse	

Nays—22

Aikin	Bracewell
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Colson
Corbin
Fuller
Hazlewood
Kazen
Kelley
Lane
Latimer
Lock
McDonald
Moffett

Moore
Owen
Phillips
Rogers
of Childress
Rogers of Travis
Shireman
Strauss
Wagonseller
Willis

Question recurring on the substitute by Senator Moffett, as amended, the substitute was adopted.

The amendment, as substituted, was then adopted by the following vote:

Yeas—30

Aikin	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Nays—1

Ashley

Senator Hardeman offered the following amendment to the resolution:

Amend H. J. R. No. 15 by striking out all of Section 3 and inserting therein a new Section 3 reading as follows:

"Sec. 3. The foregoing three proposed amendments to the Constitution of the State of Texas shall be submitted to a vote of the qualified electors of this state at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1956.

First: Those favoring the amendment to Section 17 of Article VII of the Constitution as set forth above shall have written or printed on their ballots the following words:

'FOR the amendment to the Constitution providing for allocation of the five-cent state ad valorem tax and the issuance of bonds and notes against

such for the purpose of acquiring, constructing and initially equipping buildings or other permanent improvements at certain institutions of higher learning designated therein.'

Those opposed to such amendment to Section 17 of Article VII of the Constitution as set forth above shall have written or printed on their ballots the following words:

'AGAINST the amendment to the Constitution providing for allocation of the five-cent state ad valorem tax and the issuance of bonds and notes against such for the purpose of acquiring, constructing and initially equipping buildings or other permanent improvements at certain institutions of higher learning designated therein.'

Second: Those favoring the amendment to Section 18 of Article VII as set forth above shall have written or printed on their ballots the following words:

'FOR the amendment to the Constitution permitting the University of Texas and A & M College to issue bonds not exceeding 20% of the value of the permanent fund (exclusive of real estate) and to pledge the whole or any part of such fund to secure the payment of principal of such bonds or notes; and permitting the Permanent University fund to be invested in such bonds or notes.'

Those opposed to the amendment to Section 18 of Article VII as set forth above shall have written or printed on their ballots the following words:

'AGAINST the amendment to the Constitution permitting the University of Texas and A & M College to issue bonds not exceeding 20% of the value of the permanent fund (exclusive of real estate) and to pledge the whole or any part of such fund to secure the payment of principal of such bonds or notes; and permitting the Permanent University fund to be invested in such bonds or notes.'

Third: Those favoring the amendment to the Constitution by the addition of a new section to Article VII designated 11(a), as set forth above shall have written or printed on their ballots the following words:

'FOR the amendment to the Constitution permitting the investment of half of the Permanent University

fund (such half being more than one hundred million dollars) in corporate stocks and bonds under certain conditions and limitations; and further permitting the investment of such funds in first lien real estate mortgage securities guaranteed by the United States or any agency thereof.'

Those opposed to the amendment to the Constitution by the addition of a new section to Article VII designated 11(a), as set forth above shall have written or printed on their ballots the following words:

'AGAINST the amendment to the Constitution permitting the investment of half of the Permanent University fund (such half being more than one hundred million dollars) in corporate stocks and bonds under certain conditions and limitations; and further permitting the investment of such funds in first lien real estate mortgage securities guaranteed by the United States or any agency thereof.' "

The amendment was read.

Question—Shall the amendment by Senator Hardeman to H. J. R. No. 15 be adopted?

Bills and Resolution Signed

The Presiding Officer announced the signing by the President, in the presence of the Senate after the captions had been read, the following enrolled bills and resolution:

H. B. No. 125, A bill to be entitled "An Act to amend the subject matter embraced in Section 3 providing benefits, Section 4 providing benefit eligibility conditions, Section 5 providing for disqualification for benefits, Section 6 providing for claims for benefits, Section 7 providing for contributions, Section 8 providing for duration of coverage, Section 10 providing for the Texas Employment Commission, Section 11 providing for administration, Section 11-B providing for reproduction and destruction of records, Section 14 providing for the collection of contributions, Section 15 providing for protection of rights and benefits, Section 16 providing for penalties, and Section 19 providing definitions of terms, of the Act, as amended (Senate Bill No. 5, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, 1936, as

amended); and to repeal Section 3-A of the Texas Unemployment Compensation Act, as amended; providing an effective date for this Act and its sections; providing for the repeal of all laws and parts of laws in conflict herewith; providing for the separability of provisions; and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act to abolish the office of County Attorney of Galveston County, Texas; creating the Constitutional office of Criminal District Attorney for Galveston County; providing for the election and tenure of office, and prescribing the qualifications, powers, duties, compensation and expenses of said office; providing for the appointment of assistants, investigators, stenographers and chief clerk and providing for their compensation, prescribing their powers and duties; providing for the appointment of the Criminal District Attorney until the next general election and until his successor shall qualify; and providing that the District Attorney of the 10th and 56th Judicial Districts shall be elected from Galveston County at the next general election and every four years thereafter; providing for a severability clause; providing for a repealing clause; and declaring an emergency."

H. B. No. 249, A bill to be entitled "An Act to authorize payment or refund to any employee, former employee, or his beneficiary or estate, by any employer, former employer, trustee or insurance company pursuant to a written retirement, death, or other employee benefit or savings plan and relieving such employer, former employer, trustee, or insurance company from liability to others for the amount or any portion thereof so paid."

H. B. No. 583, A bill to be entitled "An Act constituting a local road law for the maintenance of a bridge constituting a portion of a public road in Jefferson County by authorizing the county to construct, improve, operate and maintain a bridge, and properties in connection therewith over the river or lake between said county and Cameron Parish, Louisiana, from a point in Jefferson County to a point where such project will meet a bridge or causeway constructed or to be constructed from the Cameron Parish side of such body of water toward the Jefferson County side; providing for the issuance of bonds

to pay the cost of such project; providing that such bonds shall be secured by a pledge of the net revenues from the operation of the project; providing that the bonds may be additionally secured by the levy of a tax; prescribing the procedure for the issuance of the bonds; providing for the entry on lands, waters and premises for making surveys, soundings and examinations, and for the exercise of the right of eminent domain; authorizing a lease of the project to Sabine Lake bridge and causeway authority, and authorizing contracts with Cameron Parish, or other public agency owning or operating the Louisiana portion of the bridge, for the collection and division of the revenues from the bridge; authorizing issuance of additional revenue bonds to repair and improve the bridge if permitted by the order authorizing the bonds or by the trust indenture securing them; authorizing refunding bonds; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 283, A bill to be entitled "An Act regulating fishing in public fresh waters in Kimble and Menard Counties; regulating the possession of certain fish for the purpose of sale in Kimble and Menard Counties; regulating the transportation of minnows taken from the public waters of Kimble and Menard Counties; regulating the possession and use of fishing tackle or gear; providing for the confiscation of illegal tackle or gear being used in violation of this Act; providing penalties; providing severability clause; providing repealing clause; and declaring an emergency."

H. B. No. 61, A bill to be entitled "An Act amending Article 4632 of the Revised Civil Statutes of Texas, 1925, so as to increase from 30 days to 90 days the period of time which must expire after suit is filed before a suit for divorce may be heard or divorce granted; excepting suits which are pending on the effective date of the Act; and declaring an emergency."

H. B. No. 161, A bill to be entitled "An Act amending Sections 3, 10 and 17 of Chapter 327 of the Acts of the 53rd Legislature providing that cities, towns and villages may provide workmen's compensation benefits for their employees, either as self-insurers or by purchasing workmen's compensation insurance policies and that benefits so provided shall be in lieu of common law or

statutory liability for injuries received in the course of employment and death resulting therefrom; etc.; and declaring an emergency."

H. B. No. 153, A bill to be entitled "An Act amending Article 602 of the Penal Code of Texas to make the first offense of wife or child desertion a misdemeanor and subsequent offenses felonies; prescribing penalties; extending the offense of child desertion to children up to eighteen years of age; containing separability clause; and declaring an emergency."

H. B. 735, To provide that the Commissioners Courts of any two or more counties operating a mosquito control district may merge their separate districts into a single mosquito control district.

H. B. No. 628, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act and further regulate and control alcoholic beverages; providing a saving clause; repealing laws in conflict herewith; and declaring an emergency."

H. B. No. 620, A bill to be entitled "An Act prescribing the open season and the closed season on squirrels in Panola County; prescribing the penalty for violation; repealing conflicting laws; and declaring an emergency."

H. B. No. 584, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Victoria County by authorizing the County to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 568, A bill to be entitled "An Act validating Willacy County Navigation District; validating all bonds heretofore issued by said District and proceedings relating thereto; validating governmental proceedings relating to said District performed by Willacy County Commissioners' Court, and the District's Board of Navigation and Canal Com-

missioners and other officers; providing that this Act shall not apply to certain pending litigation; containing a severability clause; and declaring an emergency."

H. B. No. 198, A bill to be entitled "An Act to provide for the maintenance, care and education of persons under the age of eighteen years who are totally deaf and blind; and declaring an emergency."

H. B. No. 25, A bill to be entitled "An Act changing provisions relating to contributions payable by cities to the Firemen's Relief and Retirement Fund, benefits payable to beneficiaries of deceased members, and length of service for eligibility for benefits, etc.; and declaring an emergency."

H. B. No. 98, A bill to be entitled "An Act authorizing all school districts now or hereafter created wherein military training or instruction is conducted pursuant to any law of Texas or the United States which law requires that the district shall give a bond or otherwise indemnify the State or the United States or any authorized agency to insure the care, safekeeping and return of any property furnished by the State or the United States pursuant to such law, to execute such bond or furnish such indemnity as principal or surety and to expend school funds in connection therewith; and declaring an emergency."

H. C. R. No. 22, Designating June Fourteenth as Flag Day.

(President in the Chair.)

Recess

On motion of Senator Strauss the Senate at 12:06 o'clock p. m. took recess until 2:00 o'clock p. m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p. m. today.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 21, To authorize County Commissioners Courts to divide counties into any number of precincts not to exceed eight (8) for the election of Justices of the Peace and Constables.

H. C. R. 103, Suspending the Joint Rules to consider House Bill No. 266.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

House Concurrent Resolution 98 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 98, Paying tribute to Dr. Charles Christopher Cooke of Cleburne, Texas.

The resolution was read the second time.

On motion of Senator Martin and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 95 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 95, Endorsing Daughters of Confederacy to elect General Jackson to the Hall of Fame.

The resolution was read the second time.

On motion of Senator Latimer and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 70 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 70, Requesting Legislative Council to study feasibility of Seeing-Eye Dog training at Texas State School for the Blind.

The resolution was read the second time.

On motion of Senator Rogers of Travis and by unanimous consent, the

resolution was considered immediately and was adopted.

House Resolutions on First Reading

The following resolutions, received from the House, were read the first time and referred to the committee indicated:

H. C. R. No. 60, To Committee on Civil Jurisprudence.

H. J. R. No. 21, to Committee on Constitutional Amendments.

H. C. R. No. 40, to Committee on Civil Jurisprudence.

H. C. R. No. 39, to Committee on Civil Jurisprudence.

H. C. R. No. 45, to Committee on Civil Jurisprudence.

H. C. R. No. 46, to Committee on Civil Jurisprudence.

H. C. R. No. 47, to Committee on Civil Jurisprudence.

H. C. R. No. 48, To Committee on Civil Jurisprudence.

H. C. R. No. 49, to Committee on Civil Jurisprudence.

H. C. R. No. 50, to Committee on Civil Jurisprudence.

H. C. R. No. 51, to Committee on Civil Jurisprudence.

H. C. R. No. 53, to Committee on Civil Jurisprudence.

H. C. R. No. 54, to Committee on Civil Jurisprudence.

H. C. R. No. 55, to Committee on Civil Jurisprudence.

H. C. R. No. 57, To Committee on Civil Jurisprudence.

H. C. R. No. 58, to Committee on Civil Jurisprudence.

H. C. R. No. 59, to Committee on Civil Jurisprudence.

H. C. R. No. 61, to Committee on Civil Jurisprudence.

H. C. R. No. 62, to Committee on Civil Jurisprudence.

H. C. R. No. 65, to Committee on Civil Jurisprudence.

H. C. R. No. 66, To Committee on Civil Jurisprudence.

H. C. R. No. 67, to Committee on Civil Jurisprudence.

H. C. R. No. 68, to Committee on Civil Jurisprudence.

H. C. R. No. 77, to Committee on Civil Jurisprudence.

H. C. R. No. 78, to Committee on Civil Jurisprudence.

H. C. R. No. 81, to Committee on Civil Jurisprudence.

H. C. R. No. 85, to Committee on Civil Jurisprudence.

H. C. R. No. 86, to Committee on Civil Jurisprudence.

H. C. R. No. 88, to Committee on Civil Jurisprudence.

Reports of Standing Committees

Senator Weinert by unanimous consent submitted the following reports:

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 382, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with attached committee amendment and be printed.

WEINERT, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 127, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 273, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 236, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Judicial Districts, to whom was referred S. B. No. 392, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
April 20, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 395, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senate Resolution 256

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the Junior College Class in Political Science from Allen Academy of Bryan, Texas, accompanied by Mr. B. Massie; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and Mr. Massie to the Members of the Senate.

Senate Resolution 257

Senator Aikin offered the following resolution:

Whereas, One of our most highly respected and beloved members of this Senate, David W. Ratliff, is celebrating his birthday today; and

Whereas, The Senate is desirous of extending to him hearty congratulations and to wish him many happy returns of the day; now, therefore, be it

Resolved, By the Senate of Texas, that we officially recognize Senator Ratliff on this day, and furnish him a copy of this resolution as a token of our admiration and respect.

AIKIN
HARDEMAN
ASHLEY

The resolution was read and was unanimously adopted.

Senate Resolution 258

Senator Strauss offered the following resolution:

Whereas, We are honored today to have in the gallery the Fifth, Sixth, Seventh and Eighth Grades of the St. Peter and Paul School of Frelsburg, Colorado County, accompanied by Sister Adolphine, their teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Strauss, by unanimous consent, presented the students and the teacher to the Members of the Senate.

Senate Resolution 259

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate a group of F. H. A. students from Chillicothe High School, and other parts of West Texas, accompanied by Mrs. J. E. Stover; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Moffett, by unanimous consent, presented the students and Mrs. Stover to the Members of the Senate.

House Joint Resolution 15 on Second Reading

The President laid before the Senate as pending business H. J. R. No. 15 on its second reading, with an amendment by Senator Hardeman pending.

Question—Shall the amendment by Senator Hardeman to H. J. R. No. 15 be adopted?

(Senator Lock in the Chair.)

On motion of Senator Shireman, the amendment was tabled by the following vote:

Yeas—25

Aikin	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
McDonald	Willis

Nays—5

Hardeman	Secrest
Martin	Weinert
Ratliff	

Absent

Ashley

Senator Hardeman offered the following amendment to the resolution:

Amend H. J. R. 15 by adding at the end of Section 1 thereof the following:

"In addition to the above, the funds allocated to Sul Ross College may be expended for the benefit of the college in such other manner as the legislature may provide."

On motion of Senator Shireman, the amendment was tabled by the following vote:

Yeas—25

Aikin	Moffett
Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
McDonald	Willis

Nays—6

Ashley	Ratliff
Hardeman	Secrest
Martin	Weinert

Senator Martin offered the following amendment to the resolution:

Amend H. J. R. 15 by adding a new paragraph after first paragraph on page 3 (printed bill) to read as follows:

"Provided, however, that Arlington State College at Arlington, Texas, Prairie View and Tarleton State College at Stephenville, Texas, shall never receive less for constructing, equipping, or acquiring buildings or other permanent improvements than such school has received in one year under Section 17, Article 7 of this Constitution prior to the adoption of this amendment."

On motion of Senator Shireman, the amendment was tabled by the following vote:

Yeas—19

Bracewell	Fuller
Corbin	Hazlewood
Fly	Kelley

Lane	Phillips
Latimer	Rogers
Lock	of Childress
Moffett	Rogers of Travis
Moore	Shireman
Owen	Strauss
Parkhouse	Weinert

Nays—11

Aikin	Ratliff
Ashley	Roberts
Hardeman	Secrest
Kazen	Wagon seller
Martin	Willis
McDonald	

Absent

Colson

Senator Hardeman offered the following amendment to the resolution:

Amend H. J. R. 15 at the end by adding a paragraph to Section 2 as follows:

The Board of Regents of the University of Texas and Texas A & M College are authorized to purchase a seat on the New York Stock Exchange for the purpose of carrying out the provisions of this section.

On motion of Senator Shireman, the amendment was tabled.

Senator Martin offered the following amendment to the resolution:

Amend H. J. R. 15 by adding a new paragraph after paragraph on page 3 (printed bill), to read as follows:

"Provided, however, that Tarleton State College shall never receive out of the University fund for constructing, equipping, or acquiring buildings or other permanent improvements less than such school would receive if it were being allocated money under the provisions of Section 17, Article 7 of the Constitution after the adoption of this amendment."

On motion of Senator Shireman, the amendment was tabled by the following vote:

Yeas—16

Bracewell	Kelley
Colson	Lane
Corbin	Latimer
Fly	Lock
Hazlewood	Owen

Parkhouse
Rogers
of Childress
Rogers of Travis

Shireman
Strauss
Willis

Nays—11

Aikin	Moffett
Ashley	Phillips
Hardeman	Ratliff
Kazen	Roberts
Martin	Secrest
McDonald	

Absent

Fuller	Wagonseller
Moore	Weinert

Senator Martin offered the following amendment to the resolution:

Amend H. J. R. 15, Section One, by adding after the words "Lamar State College of Technology at Beaumont," the following:

"Tarleton State College at Stephenville, Texas."

On motion of Senator Shireman, the amendment was tabled.

(Senator Aikin in the Chair.)

Senator Roberts offered the following amendment to the resolution:

Amend H. J. R. 15 by adding a new paragraph on page 3 after line 35:

"Provided that the funds allocated for buildings and improvements shall accrue on a pro rata basis to each school in direct proportion to the enrollment of the school and the total enrollment of all the participating schools."

On motion of Senator Shireman, the amendment was tabled by the following vote:

Yeas—20

Aikin	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Phillips
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
McDonald	

Nays—9

Ashley	Fly
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Hardeman
Martin
Owen
Ratliff

Roberts
Secrest
Weinert

Absent

Fuller	Willis
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The resolution, as amended, was passed to third reading.

House Joint Resolution 15 on Third Reading

Senator Shireman moved that Senate Rules 32 and 45 and the Constitutional rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
McDonald	Wagonseller
Moffett	Willis

Nays—4

Ashley	Martin
Hardeman	Weinert

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was adopted by the following vote:

Yeas—27

Aikin	Lock
Bracewell	McDonald
Colson	Moffett
Corbin	Moore
Fly	Owen
Fuller	Parkhouse
Hazlewood	Phillips
Kazen	Ratliff
Kelley	Roberts
Lane	Rogers
Latimer	of Childress

Rogers of Travis	Strauss
Secrest	Wagonseller
Shireman	Willis

Nays—4

Ashley	Martin
Hardeman	Weinert

House Bill 405 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

H. B. No. 405, A bill to be entitled "An Act amending Section 3 of House Bill 579, Chapter 412, Acts of the 53rd Legislature, Regular Session, 1953, so as to provide for additional Directors for the District; amending Sec. 13(a) so as no longer to restrict dam construction to locations within Anderson and Cherokee Counties only, and to provide the District with authority to develop underground sources of water where feasible and necessary in the conduct of its affairs; amending Sec. 13(c) so as no longer to restrict the District's power to acquire property by condemnation within Anderson and Cherokee Counties only; etc.; and declaring an emergency."

The bill was read the second time.

Senator Lock offered the following amendment to the bill:

Amend Section 5 of H. B. 405 by striking out all of said Section 5 and inserting in lieu thereof a new Section 5 to read as follows:

"Section 5. That Section 13(a) of House Bill No. 579, Chapter 412, Acts of the Fifty-third Legislature, Regular Session, 1953, be and the same is hereby amended so as to hereafter read and provide as follows:

"Section 13(a). To store, control, conserve, protect, distribute and utilize storm and flood waters and unappropriated flow of the Neches River and such portions of its tributaries as are located within Smith, Cherokee, Anderson and Henderson Counties, Texas, except that portion of the drainage area of Flat Creek in Henderson County which lies west of presently designated Farm-to-Market Road No. 607 leading from LaRue through Leagueville to Brownsboro, by construction of a dam or dams across said river and its tributaries within said counties or otherwise by

complying with the terms of Chapter 1, Title 128, Revised Civil Statutes of Texas, as amended, in order that the escape of any such waters without first obtaining therefrom the maximum of public benefit may be prevented insofar as it is feasible and practicable within the means of the District, except that the District shall not have the right to build a dam or dams outside the boundaries of Smith, Cherokee, Anderson and Henderson Counties. To acquire and develop underground sources of water in such instances and to such extent as the District's Board of Directors may consider necessary and feasible in the conduct of its business and affairs, but only within Smith, Cherokee, Anderson and Henderson Counties. The District is further empowered to acquire by purchase, contract, or lease, gift or in any other lawful manner and to develop all facilities within the counties of Smith, Cherokee, Anderson and Henderson deemed necessary or useful for the purpose of diverting, storing, controlling, conserving, protecting, distributing, processing and utilizing such surface or ground water and the transportation thereof for municipal, domestic, industrial and other useful purposes permitted by law. The Upper Neches River Authority shall not acquire any water rights in or exercise any control over the water in that portion of the drainage area of Flat Creek in Henderson County that lies west of Farm-to-Market Road No. 607 leading from LaRue through Leagueville to Brownsboro."

The amendment was adopted.

Senator Lock offered the following amendment to the bill:

Amend Section 6 of H. B. 405 by striking out all of said Section 6 and inserting in lieu thereof a new Section 6 to read and provide as follows:

"Section 6. That Section 13(c) of House Bill 579, Chapter 412, Acts of the Fifty-third Legislature, Regular Session, 1953, be and the same is hereby amended so as to hereafter read and provide as follows:

"Section 13(c). To acquire by condemnation to the extent and in the manner set forth and permitted by General Law, including Title 52, Revised Civil Statutes of Texas, 1925, as amended, any property or right in property necessary to be acquired by the District with respect to any project which it is lawfully empowered to

provide and which has been approved by the State Board of Water Engineers, or its successors, under the provisions of General Laws including those set forth in Article 7880-139, it being further provided, however, that the District shall not have the right to condemn any property or right in property which is owned by any other political subdivision, city or town of this State.

"Provided, however, that said District shall never have the right to condemn any property lying outside of Smith, Cherokee, Anderson and Henderson Counties, except for the purpose of constructing necessary transportation facilities to a purchaser of water from the District."

The amendment was adopted.

On motion of Senator Lock and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

House Bill 405 on Third Reading

Senator Lock moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent

Fuller	Shireman
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Absent

Shireman

(Senator Hardeman in the Chair.)

Senate Joint Resolution 5 with House Amendments

Senator Aikin called S. J. R. No. 5 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent

Corbin	Fuller
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Senate Bill 86 with House Amendments

Senator Aikin called S. B. No. 86 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

Absent

Corbin Fuller

Senate Bill 221 with House Amendments

Senator Bracewell called S. B. No. 221 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Bracewell moved that the Senate concur in the House amendments.

The motion prevailed.

Local and Uncontested Bill Session

On motion of Senator Martin, and by unanimous consent, the Senate agreed to hold a session for consideration of a Local and Uncontested Bill Calendar on Thursday, April 21, 1955, at 9:30 o'clock a. m.

Recess

On motion of Senator Weinert, the Senate, at 4:42 o'clock p. m. took recess until 10:30 o'clock a. m. tomorrow.

FIFTIETH DAY

(Continued)

(Thursday, April 21, 1955)

The Senate met at 9:30 o'clock a. m. and was called to order by the President Pro Tempore.

Local and Uncontested Bill Session

The President Pro Tempore announced that the time had arrived for the consideration of the Local and Uncontested Bill Calendar.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 21, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House has appointed the following Conference Committee on H. B. No. 39: Burkett, Pyle, Cobb, Stilwell, Bradshaw.

S. B. No. 16, A bill to be entitled "An Act to define and regulate the business of representing Legal Reserve Life Insurance Companies as agent; to provide for the licensing of agents for such insurers; to provide minimum standards and qualifications as conditions precedent to issuance of licenses; to provide for the examination of applicants for said licenses; to provide for the renewal of existing licenses without examination; to fix examination and other fees; to authorize regulations for the administration of this Act; to provide penalties for violation of this Act; to repeal all laws or parts of laws inconsistent with this Act; to provide for partial invalidity; and declaring an emergency."

(With amendments.)

The House has concurred in Senate amendments to H. C. R. No. 35 by division vote of 111 ayes, 0 noes.

S. B. No. 157, A bill to be entitled "An Act authorizing payment of pub-